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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,559	08/22/2003	Masayoshi Nishio	0229-0773P	9174
2292	7590 07/12/2005		EXAM	INER
BIRCH STEWART KOLASCH & BIRCH			BLAU, STEPHEN LUTHER	
PO BOX 747 FALLS CHU	FALLS CHURCH, VA 22040-0747			PAPER NUMBER
	,		3711	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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2) Notice 3) Inform	(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date	Paper No(s)/	mmary (PTO-413) Mail Date ormal Patent Application (PTO-152)		
Attachment	(s)	•			
* S	ee the attached detailed Office action for a list	of the certified copies not re	eceived.		
	application from the International Bureau	• • • • • • • • • • • • • • • • • • • •			
	3.☐ Copies of the certified copies of the prior	•	<u></u>		
	2. Certified copies of the priority documents have been received in Application No				
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· _	Acknowledgment is made of a daily for foreign. All b)□ Some * c)□ None of:	phoney under 33 U.S.C. 9	1 19(a)-(u) Uį (I).		
	Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. & 1	119(a)-(d) or (f)		
Priority u	nder 35 U.S.C. § 119				
	The oath or declaration is objected to by the Ex				
	Replacement drawing sheet(s) including the correct		• •		
	Applicant may not request that any objection to the	•			
	The specification is objected to by the Examine The drawing(s) filed on is/are: a)☐ acce		v the Examiner		
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·Annliasti	on Papers				
·	Claim(s) are subject to restriction and/or	r election requirement.			
·	Claim(s) is/are rejected. Claim(s) is/are objected to.		•		
·	Claim(s) <u>7-11</u> is/are allowed. Claim(s) <u>12-15</u> is/are rejected.				
	4a) Of the above claim(s) is/are withdray	wn from consideration.			
· ·	Claim(s) <u>7-15</u> is/are pending in the application.				
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<i>ال</i> ات	closed in accordance with the practice under <i>E</i>	·	• •		
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	d patent term adjustment. See 37 CFR 1.704(b).	,	yzqzy .eeuww wily		
- Exter after: - If the - If NO - Failur	isions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing	within the statutory minimum of thirty will apply and will expire SIX (6) MONTI cause the application to become ABA	(30) days will be considered timely. IS from the mailing date of this communication. NDONED (35 U.S.C. § 133).		
	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION.	Y IS SET TO EXPIRE 3 MO	NTH(S) FROM		
Period fo	• •				
	The MAILING DATE of this communication app	Stephen L. Blau bears on the cover sheet with	3711 at the correspondence address		
	Coc / loc.o Cuary	Examiner Stanbard Plan	Art Unit		
	Office Action Summary	10/645,559	NISHIO, MASAYOSHI		
		Application No.	Applicant(s)		

DETAILED ACTION

Request for Continued Examination

The request filed on 13 June 2005 for a Request for Continued Examination
 (RCE) under 37 CFR 1.53(d) based on parent Application No. 10/645,559 is acceptable
 and a RCE has been established. An action on the RCE follows.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi in view of 2001-286585.

Kawaguchi discloses a method of making/designing a wood type club (Figs. 3-4, 20) having of step of determining/providing a torque of (3.4-3.8, 4.0-4.4, 4.6-5.0, 5.6-7.2) degrees of a shaft (Fig. 14).

Kawaguchi lacks a method of making/designing a wood type head comprising a step of determining/providing the gravity point distance between the gravity point of the

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head to the center line of the shaft so that the conditions of the equations as defined in claims 12 or 15 are satisfied and to satisfy the following conditions of claims 13 or 14.

2001-286585 discloses a wood type head (Figs. 1-4) having a distance between a gravity point of a head and a center line of a shaft being 45 mm or less (English Solution) in order to have a head with a high inertial moment, light weight and short distance of center of gravity in spite of a large volume (English Abstract). In view of the reference of 2001-286585 it would have been obvious to modify the method of making/designing a wood type club of Kawachuci to have a step of determining/providing a head having a distance between a gravity point of a head and a center line of a shaft being 45 mm or less so that the conditions of the equations as defined in claims 12 or 15 are satisfied and to satisfy the following conditions of claims 13 or 14 in order to have a head with a high inertial moment, light weight and short distance of center of gravity in spite of a large volume.

Allowable Subject Matter

4. Claims 7-11 are allowed. None of the prior art discloses or renders as obvious a method of making a club with a step of determining whether the torque and gravity point distance satisfies the equations as defined in claims 7 and 10 in addition to the other elements of structure claimed.

Response to Arguments

5. The argument that newly added claims 12-15 retain the allowable subject matter of claims 7-11 of determining whether the torque and gravity point distance satisfies the equations as defined in claims 7 and 10 is disagreed with. The methods of claims 7 and 10 definitively require the step of using the claimed equations to determine if the conditions are met. Claims 12-15 are much more broad methods and require only determining/providing a shaft and head so that the conditions are satisfied. Clearly in claims 12-15 one could perform the method of making/designing a club without using the equations to determine if the conditions are met. The examiner believes the minor refinements make the claims more broad.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (571) 272-4406. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Greg Vidovich whose telephone number is (571) 272-4415. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858. (TC 3700 Official Fax 703-872-9306)

slb/ 8 July 2005

STEPHEN BLAU PRIMARY EXAMINER